

1 SALVATORE SCIANDRA, Bar No. 58256
Attorney at Law
2 2300 Tulare Street, Suite 230
Fresno, CA 93721
3 Telephone: 559-233-1000
Facsimile: 559-233-6044
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5 Attorney for Defendant, LESLIE PETER BOWCUT
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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)

11 Plaintiff,)

12 v.)

13 LESLIE PETER BOWCUT,)

14 Defendant.)
15

CASE NUMBER: CR-F-02-5301 OWW

**STIPULATION AND ORDER FOR A
RESETTING OF HEARING ON
REPORT OF PROBATION OFFICER
and SENTENCING**

16 IT IS HEREBY STIPULATED by and between plaintiff, the United States of America, and the
17 defendant by and through his attorney, SALVATORE SCIANDRA, that the date set for hearing on the
18 Presentence Report of the Probation Officer and sentencing be continued for the following reasons:

19 1. That just prior to May 16, 2005, the date set for hearing on the Report of the
20 Probation Officer and sentencing, it was determined that there was a mutual
21 misunderstanding between the defendant and the government as to what the
22 government was going to recommend as a downward departure.

23 2. That it was stipulated between the defendant and the government that
24 sentencing would be continued until the current date for RPO and sentencing, in order
25 to resolve the misunderstanding and arrive at an agreement as to what the government's
26 recommendation would be.

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3. That resolving this misunderstanding has required not only meetings between counsel for the defendant and the government, but also review of past meetings between the defendant, the government and law enforcement agents from various law enforcement agencies, both state and federal, involved in the investigation and prosecution of this case.

4. That although progress has been made in resolving the issues underlying the misunderstanding between the defendant and the government, more time is required to come to a final resolution.

For the foregoing reasons, it is respectfully requested that the RPO and sentencing in this matter, currently set for May 31, 2005 at 1:30 p.m. be vacated and reset for June 20, 2005 as 1:30 p.m..

Respectfully submitted,

DATED: May 26, 2005

/s/ Salvatore Sciandra
SALVATORE SCIANDRA
Attorney for Defendant,
LESLIE PETER BOWCUT

DATED: May 26 2005

/s/ Jonathan B. Conklin
JONATHAN B. CONKLIN
Assistant United States Attorney

Stipulation was agreed to with Mr. Conklin.

ORDER

IT IS SO ORDERED.

DATED: May 26, 2005

/s/ OLIVER W. WANGER

HONORABLE OLIVER W. WANGER
United States District Court Judge,
Eastern District of California